

MARK J. REICHEL, State Bar #155034
Attorney at Law
455 Capitol Mall, Ste. 802
Sacramento, CA 95814
Telephone: (916) 498-9258

Attorney for SWEED

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SCOTT SWEED

DEFENDANT.

CASE NO. 20-CR-S-0087 WBS

STIPULATION TO RE SET DATE FOR STATUS
CONFERENCE; ORDER ON TIME EXCLUSION

DATE: JULY 13, 2021
TIME: 9:00 a.m.
HON WILLIAM B. SHUBB

The government and defendant's counsel (the "parties") seek to continue the status conference to July 12, 2021 at 9:00 a.m., and to exclude time under the Speedy Trial Act and Local Code T4 for effective defense preparation. The background:

a) The government has provided the defense with the discovery associated with this case. All this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) Counsel for Defendant desires additional time to review the current charges, review discovery, conduct research and investigation into the charges and alleged acts, consult with their client, and otherwise prepare the matter with additional witness interviews and other investigation.

1 c) Counsel for defendant believe that the continuance will provide them reasonable time necessary for
2 effective preparation, considering the exercise of due diligence.

3
4 d) The government does not object to the continuance.

5 e) Based on the above-stated findings, the ends of justice served by continuing the case as requested
6 outweigh the interest of the public and the defendants in a trial within the original date prescribed by the
7 Speedy Trial Act.
8

9 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within
10 which trial must commence, the time period of June 21, 2021, to July 13, 2021, inclusive, is deemed
11 excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a
12 continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends
13 of justice served by taking such action outweigh the best interest of the public and the defendants in a
14 speedy trial.
15

16
17 g) Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial
18 Act dictate that additional time periods are excludable from the period within which a trial must
19 commence.
20
21
22
23
24
25
26
27
28

1 IT IS SO STIPULATED.

2
3 Dated: June 16, 2021

4 MCGREGOR W. SCOTT United States Attorney

5 /s/ CAMERON DESMOND

6 CAMERON DESMOND

7 Assistant U.S. Attorney

8 /s/ MARK REICHEL

9 MARK REICHEL

10 Counsel for Defendant

11 FINDINGS AND ORDER

12 IT IS SO FOUND AND ORDERED. Moreover, the ongoing COVID-19 pandemic has led to the
13 suspension of jury trials in this district since March 17, 2020, and the General Orders of this court issued in
14 connection with the pandemic allow for continuances and the exclusion of time under the Speedy Trial Act,
15 18 U.S.C. § 3161(h)(7)(A), with no further findings required. General Orders 611, 612, 617, and 618.
16 Additionally, the April 16, 2020 Order of the Judicial Council of the Ninth Circuit suspended the time limits
17 of 18 U.S.C. § 3161(c) due to a judicial emergency in this district until May 2, 2021. See In re Approval of
18 the Judicial Emergency Decl. in the E. Dist. of Cal., 956 F.3d 1175 (9th Cir. Judicial Council 2020).

19 Dated: June 17, 2021

20 

21 WILLIAM B. SHUBB

22 UNITED STATES DISTRICT JUDGE
23
24
25
26
27
28